



7707 U.S. PTO

## UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

SYMAP031

## TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Richard Sutton, entitled TRACKING COMPUTER INFECTIONS, for a(n):

- (X) Original Patent Application.
- ( ) Continuing Application (prior application not abandoned):  
( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
of prior Application No. \_\_\_\_\_, filed \_\_\_\_\_.
- ( ) Please add after the title of the application "This is a  
( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
of Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is hereby incorporated by reference."
- ( ) This application claims the benefit of U.S. Provisional Application No. \_\_\_\_\_ filed \_\_\_\_\_

22141 U.S. PTO  
10/715346  
111703

## Enclosed are:

- (X) Specification; 13 Total Pages. (X) Drawing(s); 4 Total Sheets.
- ( ) Oath or Declaration:  
( ) A Newly Executed Combined Declaration and Power of Attorney:  
( ) Signed. ( ) Unsigned. ( ) Partially Signed.
- ( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).  
( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 1.63(d)(2)).
- ( ) Power of Attorney. (X) Return Receipt Postcard.
- ( ) Associate Power of Attorney. ( ) A Check in the amount of \$ \_\_\_\_\_ for the Filing Fee.
- ( ) Preliminary Amendment. ( ) Information Disclosure Statement and Form PTO-1449.
- ( ) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
- ( ) A Certified Copy of Priority Documents (if foreign priority is claimed).
- ( ) Statement(s) of Status as a Small Entity.
- ( ) Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.
- (X) Request and Certification.
- ( ) Other: \_\_\_\_\_

PLEASE DO NOT CHARGE THE FILING FEE AT THIS TIME.

Respectfully submitted,

By: Susan C. Yi  
Susan C. Yi, Reg. No. 39,883

Date: November 17, 2003

Correspondence Address:

Customer No. 35833  
Van Pelt & Yi LLP  
10050 N. Foothill Blvd.  
Suite 200  
Cupertino, CA 95014  
Telephone: 408-973-2585  
Fax: 408-973-2595

I hereby certify that this is being deposited with the U.S. Postal  
Service "Express Mail Post Office to Addressee" service under  
37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

By: Joanne Pontis

Typed Name: Joanne Pontis

Express Mail Label No.: EV323814001US

Date of Deposit: November 17, 2003

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:	)	Attorney Docket No. SYMAP031
	)	
SUTTON et al.	)	Examiner: Unassigned
	)	
Application No: Unassigned	)	Art Unit: Unassigned
	)	
Filed: Herewith	)	
	)	Date: November 17, 2003
Title: TRACKING COMPUTER	)	
<u>INFECTIONS</u>	)	

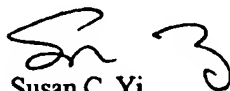
**REQUEST AND CERTIFICATION**  
**UNDER 35 U.S.C. 122(b)(2)(B)(i)**

Mail Stop Patent Application  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

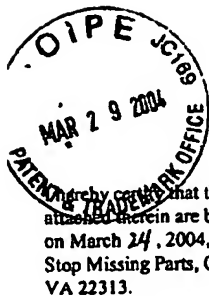
Respectfully submitted,



Susan C. Yi  
Reg. No. 39,883

Van Pelt & Yi  
10050 N. Foothill Blvd.  
Suite 200  
Cupertino, CA 95014  
Telephone: (408) 973-2585

Attorney Docket No.: SYMAP031



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE OF MAILING**

I hereby certify that this paper and the documents and/or fees referred to as attached herein are being deposited with the United States Postal Service on March 24, 2004, in an envelope as First Class Mail, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

Jennifer C. Gross

Attorney Docket No.: SYMAP031

First Named Inventor: Richard Sutton

Application No. 10/715,346

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

☐ Duplicate for  
fee processing

Sir: This is a Response to Notice to File Missing Parts in a patent application in the name of inventors:  
Richard Sutton and John Millard

For: TRACKING COMPUTER INFECTIONS

**Application Elements:**



Declaration



Newly executed (original or copy)



Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional).

The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.



Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

**Accompanying Application Parts:**



Information Disclosure Statement with Form PTO-1449



Copies of IDS Citations



Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)



Return Receipt Postcard

- ☒ Other: Four (4) sheets of replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121.

Amendments

- ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained.)

Fee Calculation (37 CFR § 1.16)

	(Col. 1)	(Col. 2)	SMALL ENTITY	OR	LARGE ENTITY
	NO. FILED	NO. EXTRA	RATE		RATE
BASIC FEE			\$355	OR	\$770
TOTAL CLAIMS	23	-20 = 3	x9 = \$	OR	x18 = \$54.00
INDEP CLAIMS	3	-03 = 0	x43 = \$	OR	x86 = \$
[X] Oath or Declaration Surcharge					\$130.00
[ ] Multiple Dependent Claim Presented			\$145 = \$	OR	\$290 = \$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			Total \$	OR	Total \$954.00

- ☐ Applicants petition for a two (2) month extension of time to respond under 37 CFR § 1.136(a).

- ☒ Check No. 1215 in the amount of \$954.00 is enclosed.

General Authorizations

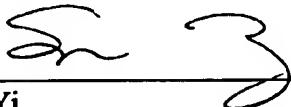
- ☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for this or any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 50-0685 (Order No. SYMAP031).

- ☒ The Commissioner is given general authorization to charge any fees or to credit any overpayment during the pendency of this application to Deposit Account No. 50-0685 (Order No. SYMAP031).

- ☒ Please send correspondence to the following address:

Customer No. 21912  
VAN PELT & YI LLP  
10050 N. Foothill Blvd.  
Suite 200  
Cupertino, CA 95014

Date: 3/24/04

  
\_\_\_\_\_  
Susan C. Yi  
Reg. No. 39,883